

1999 DEC 20 PM 12:55

VOLUNTARY AGREEMENTADDENDUM

The Roosevelt Food Shoppe  
1418 12<sup>th</sup> Street NW  
Washington, DC 20005

This addendum is made this 1st day of December, 1999 and modifies the Voluntary Agreement dated June 4, 1998, by and between Khey T. Ley, the former proprietor of the Roosevelt Food Shoppe, and the following entities: Logan Circle Community Association, Advisory Neighborhood Commission 2F, Don Smith, and Patricia M. Durkin.

1. Paragraph 1 of the Voluntary Agreement is amended to permit the store to operate from 7:00 a.m. to 9:00 p.m. seven days a week, but to limit the sale of beer and wine on Sundays until after 12:00 noon. Said paragraph will now read: "**HOURS OF OPERATION.** The Applicant shall limit the hours of operation of the Establishment to no more than 7:00 a.m. to 9:00 p.m., seven days a week. On Monday through Saturday, the Applicant will not sell beer or wine until after 9:00 a.m. On Sundays, the Applicant will not sell beer or wine until after 12:00 noon."
2. All other terms and conditions of the Voluntary Agreement shall remain the same.
3. The Voluntary Agreement and this addendum shall become a part of the conditions of the Roosevelt Food Shoppe's Class B liquor license and shall apply to and be binding upon the new owners of the establishment.

This addendum shall take effect once all parties to the addendum have affixed their signatures below.

Roosevelt Food Shoppe

by:

Ali Amedee Farsi  
Ali Farsi, Co-Owner

by:

Zeina M. Hussein  
Zeina M. Hussein, Co-Owner

Advisory Commission 2F

by:

Leslie Miles  
Leslie Miles, Chair

Logan Circle Community Association

by:

Deborah J. Martens  
Deborah J. Martens, President

Don Smith  
Don Smith

Patricia M. Durkin  
Patricia M. Durkin

980609010

App No 35533

**VOLUNTARY AGREEMENT**

1418 12<sup>th</sup> Street, N.W.  
Washington, D.C.

**Liquor License Application of Khey T. Ley T/A Roosevelt Food Shoppe**

RECEIVED  
ALCOHOLIC BEVERAGE  
CONTROL DIVISION  
JUN 3 1 10 PM '98

THIS AGREEMENT is entered into by and between Khey T. Ley (referred to as "Applicant"), proprietor of Roosevelt Food Shoppe, and the following entities (referred to collectively as "protestants"): Logan Circle Community Association, Advisory Neighborhood Commission 2F, Don Smith, and Patricia M. Durkin.

WHEREAS, Khey T. Ley desires to obtain authorization from the District of Columbia Alcoholic Beverage Control Division to permit the sale of malt liquor, beer and wine at the above-referenced premises; and

WHEREAS, protestants seek to assure the Applicant's cooperation in maintaining the peace and tranquility in and around the Applicant's business premises;

NOW, THEREFORE, the parties agree as follows:

1. **HOURS OF OPERATION.** The Applicant shall limit the hours of operation of the Establishment to no more than 9:00 a.m. to 7:00 p.m., Monday through Saturday.
2. **PUBLIC TELEPHONES.** No exterior public pay telephones shall be installed on the property.
3. **EXTERNAL APPEARANCE OF PREMISES.** The Applicant shall conform to §1100.1 of Title 23 of the District of Columbia Municipal Regulations by limiting advertisements in the windows to the permitted twenty-five percent (25%) of the window space. In accordance with §1100.2 of Title 23 DCMR, no advertisement of any kind relating to alcoholic beverages shall be displayed on the exterior of any window and exterior or interior of any door.
4. **MAINTENANCE OF PUBLIC AND PRIVATE SPACE.** The Applicant shall keep the sidewalk, the rear lot and the alley behind the Establishment clean and neat at all times, and the curbs free of trash. The Applicant shall maintain the fencing facing the alley as an effective bar to the rear lot and keep the gate securely locked at all times except when trash is being picked up. There shall be regular trash pickups. The Applicant shall install no bullet-proof window material on the premises.
5. **LOITERING.** The Applicant shall aggressively discourage loitering in the vicinity of the property, including the alley, and shall contact police when loiterers refuse to leave.

6. **ILLEGAL ACTIVITIES AND PUBLIC NUISANCES.** The Applicant shall prohibit drug sales in or in front of the Establishment during business hours and /or while Applicant is present and contact the police when known or suspected drug transactions occur. The Applicant shall cooperate with the police in prosecuting all violations. The Applicant shall make no sales of single cigarettes or cigars, cigarette rolling papers, glassine bags or drug paraphernalia. The Applicant shall discourage public consumption of alcoholic beverages by refraining from selling or giving away plastic or paper cups in quantities of five or less or individual servings of ice. The Applicant shall make no sales of single bottles or cans of beer in containers of 12 ounces or less that are normally packaged in six-packs. If individuals not engaged in lawful business activities are observed on the premises and corrective steps prove insufficient, the Applicant will agree to provide security at all times the Establishment is open.
7. **QUALITY OF MERCHANDISE.** The Applicant will attempt to serve the needs of neighboring residents by selling quality wines in corked bottles, and to sell milk, juice, and other food products for consumption off the premises, if permitted by license.
8. **COOPERATION WITH RESIDENTS.** The Applicant agrees to meet once a month with officers and members of the Logan Circle Community Association and/or its 12<sup>th</sup> Street Revitalization Committee, Advisory Neighborhood Commission 2F, and Third District Metropolitan Police officials, upon commencement of business operations, to discuss any problems arising from the operation of the store. This meeting shall be held at a location within five blocks of the store. The Applicant agrees to work in good faith with these individuals to resolve these problems.
9. **CONDITIONS OF LIQUOR LICENSE.** The Applicant shall adhere to the conditions of the license for the Establishment herein contained, and it is understood that the provisions of this Voluntary Agreement shall become a part of the conditions of the license. Failure of the Applicant to correct any violations of the conditions of the license within thirty (30) days, or repeated violations, shall be grounds to request the Board to bring a Show Cause action against the Applicant.
10. **NOTICES.** Any notices required to be made under this Agreement shall be in writing and mailed by Certified Mail, or return receipt requested, postage prepaid, to the other Parties to this Agreement. Notice is deemed to be received upon mailing.
11. **WITHDRAWAL OF PROTEST.** Upon execution of this Agreement, all protestants withdraw their protest to the Application effective immediately.

This Agreement shall take effect once all Parties to the Agreement have affixed their signatures below. The Parties hereby indicate their assent to this Agreement:

Khey T. ley  
Applicant

6/4/98  
Date

Frederick J. Day  
Applicant's Legal Counsel

6-4-98  
Date

Robert J. Martin  
Logan Circle Community  
Association

6/7/98  
Date

[Signature]  
Advisory Neighborhood  
Commission 2F

6/7/98  
Date

[Signature]  
Don Smith

6/2/98  
Date

Patricia M. Durkin  
Patricia M. Durkin

6/7/98  
Date

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**In the Matter of:**

Ley T. Khey  
t/a Roosevelt Food Shoppe

Application for a Retailer's License  
Class B - new  
at premises

1418 - 12th Street, N.W.  
Washington, D.C.

App. No. 35533-98011

**Pat Durkin, Donald Smith, Helen Kramer, Chair, ANC 2F, and Jack Reed,  
President, on behalf of Logan Circle Community Association, Protestants**

**Ley T. Khey, Applicant**

**BEFORE: BARBARA L. SMITH, ESQUIRE, CHAIR;1/  
DENNIS BASS, MEMBER;  
ALLEN BEACH, MEMBER;  
MARY EVA CANDON, ESQUIRE, MEMBER;  
LAVERNE KING, MEMBER;  
EYDIE WHITTINGTON, MEMBER;  
DUANE WANG, MEMBER**

**ORDER ON A VOLUNTARY AGREEMENT**

The application, having been protested came before the Board for public hearing on March 4, 1998, in accordance with D.C. Code Section 25-115(c)(5)( 998 Supp.), providing for remonstrants to be heard. Pat Durkin, Donald Smith, Helen Kramer, Chair, on behalf of Advisory Neighborhood Commission 2F ("ANC 2F"), and Jack Reed, President, on behalf of the Logan Circle Community Association, filed timely protest letters.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed

1/ Barbara Smith is no longer a member of the ABC Board.

**Khey T. Ley**  
**t/a Roosevelt Food Shoppe**  
**Page two**

with the Board. Pursuant to the Agreement dated June 4, 1998, the protestants have agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned.

Accordingly, it is this 15<sup>th</sup> day of July 1998, **ORDERED** that:

1. The protests of Pat Durkin, Donald Smith, Helen Kramer, Chair, on behalf of ANC 2F, and Jack Reed, President, on behalf of the Logan Circle Community Association, be, and the same hereby, are **WITHDRAWN**;

2. The above-referenced Agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this Order;

3. The application of Khey T. Ley t/a Roosevelt Food Shoppe for a retailer's license class B - transfer to a new location at premises 1418 12th Street, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**; and,

4. Copies of this Order shall be sent to the Protestants, the Attorney for the Applicant, and the Applicant.

**DISTRICT OF COLUMBIA**  
**ALCOHOLIC BEVERAGE CONTROL**  
**BOARD**

\_\_\_\_\_  
Barbara L. Smith, Esquire, Chair

Dennis Bass  
Dennis Bass, Member

\_\_\_\_\_  
Allen Beach, Member

Mary Eya Candon  
Mary Eya Candon, Esquire, Member

\_\_\_\_\_  
Laverne King, Member

Egan Whitty